

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

QUORDALIS V. SANDERS,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
CORRECTIONS, BRIANN GERILER,
and JOHN DOES,

Defendants.

Case No. 23-CV-1664-JPS

ORDER

Plaintiff Quordalis V. Sanders, a Wisconsin state prisoner who is representing himself pro se, filed this lawsuit under 42 U.S.C. §1983 and a motion to proceed without prepayment of the filing fee under 28 U.S.C. § 1915. ECF Nos. 1, 2. The cost of filing a civil lawsuit in federal court is \$405.00, which includes the \$350.00 statutory filing fee and a \$55.00 administrative fee.

The Prison Litigation Reform Act ("PLRA") applies to this case because Plaintiff was incarcerated when he filed this lawsuit. *See* 28 U.S.C. §1915(h). As part of the PLRA, if a prisoner files more than three actions or appeals which are dismissed as frivolous or malicious or for failure to state a claim upon which relief can be granted, the prisoner will be prohibited from bringing any other actions without prepayment of the filing fee unless the prisoner is in imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Commonly known as the "three-strikes" provision, a prisoner is said to have struck out once he or she has accrued three dismissals under this section.

Here, the Court finds that Plaintiff has already accrued at least three strikes and, therefore, the Court will deny his motion to proceed without prepayment of the filing fee. The Court has reviewed Plaintiff's filing history and discovered that the Court of Appeals for the Seventh Circuit gave him his third strike on June 27, 2003. *Sanders v. Bertrand*, 72 F. App'x 442, 445 (7th Cir. 2003) ("Because this appeal is frivolous, Sanders has incurred his third strike under 28 U.S.C. §1915(g)."). Further, although the Plaintiff's complaint is difficult to read, the Court does not discern any meaningful allegations in the complaint of an imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Therefore, Plaintiff is ineligible for the exception to the "three strikes" provision under 28 U.S.C. § 1915(g) and he must pay the civil case filing fee in full to proceed with this lawsuit.


Accordingly,

IT IS ORDERED that Plaintiff's motion to proceed without prepayment of the filing fee, ECF No. 2, be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that Plaintiff must submit to the Clerk of Court the \$405.00 civil case filing fee in full by **January 5, 2024**, if he wishes to proceed with this case. No further action will be taken in this case until payment is received. Failure to pay the fee will result in dismissal of this case without prejudice and without further notice.

Dated at Milwaukee, Wisconsin, the 15th day of December, 2023.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge